**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD**
**(Special Original Jurisdiction)**

**WEDNESDAY, THE TWENTY THIRD DAY OF JUNE TWO THOUSAND AND FOUR**

**PRESENT**

**HON'BLE SRI DEVINDER GUPTA,**
**CHIEF JUSTICE**
**and**
**HON'BLE Ms. JUSTICE G.ROHINI**

**WRIT PETITION NO : 510 of 2003**

**Between:**

C.Narayana Reddy s/o Anjana Reddy
R/o Jonnala Kokapalle., Mudigubba.,
Anantapur District.

**.... PETITIONER**

AND

District Collector, Chittoor District,
Collectorate.,Greemspet, Chittoor.

**.....RESPONDENT**

**Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly in the nature of Writ of Mandamus declaring the proceedings of the respondent in Rc.No.3900/2001 B-1(P) dt.26-11-2002 as illegal, arbitrary, mala fide, without any authority and in contravention of amendment to Rule 9 of A.P. Minor Mineral Concession**

**Rules, 1966 issued in G.O.Ms.No.1, Industries and Commerce (M) Department, dt.1-1-2002 and against the principles of natural justice.**

For the Petitioner : MR.D.VIJAYA CHANDRA REDDY,
Advocate.

For the Respondent : GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT.

**WRIT PETITION NO : 6920 of 2003**

Between:

C.Narayana Reddy S/o.Anjana Reddy
R/o.Jonnala Kokapalle Mudigubba (POST & MANDAL)
Ananthapur.

..... PETITIONER

AND

1 The Government of A.P., Rep. by its Secretary, Industries and Commerce Dept.,
Secretariat Hyderabad.
2 The Director of Mines & Geology,
8th Floor, BRKR Buildings,
Tank Bund Road, Hyderabad.
3 The District Level Committee, Chittoor,
Chittoor Dist.
4 The District Collector, Chittoor.
5 The Asst.Director of Mines and Geology
Chittoor, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of the respondent in

Rc.No.3900/2001 B-1 (P), Dt.25-03-2003 as illegal, arbitrary, mala fide, without any authority and in contravention of amendment to Rule 9 of A.P Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1, Industries and Commerce Department, dt.01-01-2001 and against the principled of natural justice and by an incompetent person and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner: SMT.N.SHOBA, Advocate.

For the Respondents : GP FOR MINES AND GEOLOGY

Advocate General.

The Court Made the Following :

**ORAL ORDER**:

**( Per Hon'ble The Chief Justice )**

**…..**

1. These writ petitions are filed by C. Narayana Reddy seeking to question the orders issued by respondents. In both the writ petitions order dated 26.11.2002 and 25.03.2003 respectively was sought to be challenged as illegal and without any authority and in contravention of amendment to Rule 9 of Andhra Pradesh Minor Mineral Concession Rules, 1966.

2. As a result of the impugned proceedings, petitioner was prevented from carrying out mining operations for which lease has been granted.

3. There was also interim order passed in favour of the petitioner. But during the pendency of these writ petitions,

petitioner's main W.P.No.16710 of 2002 in which validity of Rule 9-W was under challenge was dismissed by us on 2.12.2003. Period of lease has expired. As a consequence of dismissal of W.P.No.16710 of 2002, petitioner's prayer to direct the respondents to extend the lease or to direct the respondents to consider the petitioner's representation for permitting the writ petitioner to work on the quarries for the period during which petitioner was prevented from carrying was turned out. This was the specific prayer made in W.P.No.16710 of 2002 wherein we have noticed the conduct of the petitioner and observed that even on the basis of the ratio of decision of Supreme Court in Beg Raj Singh Vs. State of U.P. & others (2003) 1 SCC 726 ), petitioner was not entitled to any equitable relief and for the same reason, no such prayer in these writ petitions could be issued to respondents even to consider the petitioner's representation for permitting the petitioner to work in the quarries for the period during which petitioner did not work in the quarries. Writ petitions are accordingly dismissed. No costs.

**DEVINDER GUPTA. C.J.,**

**G. ROHINI. J.,**

**Dated: 23.06.2004.**

VRK.
Note:
Office to place a copy of this order
in each of the writ petitions after the signature
of the Hon'ble Judges.

To

1. District Collector, Chittoor District,
Collectorate.,Greemspet, Chittoor.
2 The Government of A.P., Rep. by its Secretary, Industries and Commerce Dept.,
Secretariat Hyderabad.

3 The Director of Mines & Geology,
8th Floor, BRKR Buildings,
Tank Bund Road, Hyderabad.
4 The District Level Committee, Chittoor,
Chittoor Dist.
5 The District Collector, Chittoor.
6. The Asst.Director of Mines and Geology
Chittoor, Chittoor District.
7. 2 CCs to G.P. for Mines & Geology,
High Court Buildings, Hyderabad.
8. 2 CD copies.

**HON'BLE SRI DEVINDER GUPTA,**
**CHIEF JUSTICE**
**AND**
**HON'BLE Ms. JUSTICE G. ROHINI.**

**W.P.Nos.510 & 6920 of 2003.**

**( Order of the Bench delivered by**
**Hon'ble The Chief Justice )**

**Dt: 23.06.2004**.